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FEDERAL COMMUNICATIONS COMMISSION
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IN REPLY REFER TO:

CC 92-77

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September 16, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Don Nickles
United States Senate
Attention: Julie Glass
409 South Boston
Suite 3310
Tulsa, OK 74103-4007

Dear Senator Nickles:

Thank you for your letter on behalf of Gary A. Parsons, Regional Director, Oklahoma Department of Corrections, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

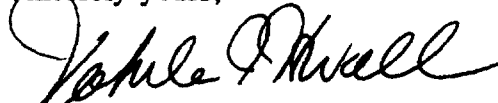
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The Honorable Don Nickles
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kathleen M.H. Wallman".

Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures



Federal Communications Commission
Field Operations Bureau
9330 LBJ Freeway, Suite 1170
Dallas, Texas 75243

64A
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4291

August 26, 1994

Honorable Don Nickles
United States Senate
409 South Boston, Suite 3310
Tulsa, Oklahoma 74103-4007

Dear Senator Nickles: ,

Thank you for contacting our office on behalf of your constituent, Mr. Gary A. Parsons, of Weatherford, Oklahoma.

Your inquiry is being forwarded to the Chief of the Field Operations Bureau for coordination with the appropriate staff at our headquarters office in Washington, D.C. You should receive a response within the next 30 days.

Sincerely,

Jerry M. Montgomery
Acting Engineer in Charge

:eaw

DON NICKLES
OKLAHOMA

COMMITTEES:
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United States Senate
WASHINGTON, DC 20510-3602

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DALLAS TX (10)

August 22, 1994

Sandra Morris, Congressional Liaison
Federal Communication Commission
9330 LBJ Freeway, Suite 1170
Dallas, Texas 75243

Dear Sandra:

Attached is a letter from one of my constituents concerning a situation in which I believe you can be of assistance.

I would appreciate your looking into this matter for me. In responding to me, please direct your correspondence to the attention of my representative:

Julie Glass
409 South Boston, Suite 3310
Tulsa, Ok 74103-4007

Thank you very much for your cooperation.

Sincerely,



DON NICKLES
U.S. SENATOR

DN/jg
enc

AUG 15 REC'D

LARRY A. FIELDS
DIRECTOR



DAVID WALTERS
GOVERNOR

STATE OF OKLAHOMA
OKLAHOMA DEPARTMENT OF CORRECTIONS
WESTERN REGION

August 4, 1994

Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M. Street NW
Washington, DC 20554

Subject: BILLED PARTY PREFERENCE (CC DOCKET #92-77)

Dear Chairman Hundt,

I am writing in regards to the proposed change in telephone service for correctional facilities, specifically the Billed Party Preference. I will attempt to relay my concerns with the changes as it affects the correctional system in Oklahoma.

Currently our inmate phone systems allows the facility administrator to establish certain parameters for inmate calls with the contracted long distance service provider. They can restrict certain numbers, area codes, record the number called with time, date and duration of the call. We need to be able to implement changes immediately with a vendor we are familiar with and who is familiar with the needs of a correctional environment. These needs are vastly different than the public's need for long distance service. These services are generally agreed upon before a contract is established so all parties are aware of the process and criticalness of the need to make immediate changes. This information can become vital if the need arises where possible additional criminal charges may be warranted. If we lose these types of controls and records, we may not be able to provide the needed information to the district attorney in a timely manner.

We currently receive commissions from the long distance service provider that are used to provide needed programmatic services, welfare and recreation equipment and supplies, etc., to the inmate population. If this commission is reduced or eliminated, the impact on inmate programs would be devastating. If we were to fund these items from our general operating budget, the facilities would have to reduce other expenditures to offset this loss in revenues.

I believe there is a misconception that the long distance service provider is overcharging the inmates families due to the commissions we receive. This is far from the truth, we make



every effort to ensure the rates charged are fair and reasonable. The service provider must be able to make a reasonable profit and we use the revenues to provide services and programs to benefit the inmate population. If we selected a carrier that charged un-reasonable rates, all parties involved would suffer when the inmates families would not accept the calls, thereby reducing the revenues.

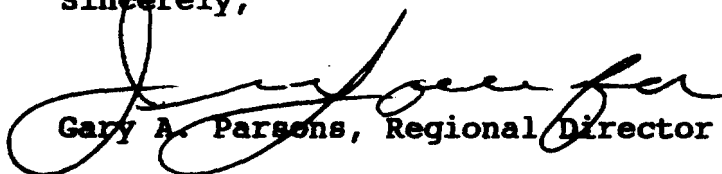
With our current systems, we can, and do when warranted, restrict calls to victims of the inmates; this protection may not be possible with the billed party preference system. We have the need and the desire to protect the victims from further anguish from the perpetrator of the crime.

I feel we, as correctional administrators are in a better position to manage and control inmate calls. We are familiar with methods inmates use to attempt to abuse the phone privileges and telephone systems and have processes in place to handle these situations when they arise.

I urge you to exempt prison and jail systems from the Preferred Party Billing method.

Thank you for the opportunity to provide information from a corrections practitioner viewpoint.

Sincerely,



Gary A. Parsons, Regional Director

GAP/dsh/may

cc: Larry A. Fields, Director
File